

FAMILY TOLD TROUBLES

PROBATE JUDGE WALKER STOPPED
A DOMESTIC NARRATIVE.Relatives of Andrew Patterson, Once
Insane, Complained Against His
Wife as Administrator.

The probate court was crowded yesterday with witnesses and relatives interested in the hearing of a petition to remove Mrs. Andrew Patterson as guardian of her husband, now in the insane hospital. The petition was filed by Patterson's sister, who alleged that Mrs. Patterson had failed to file an inventory and appraisal of the estate. It seemed to be the intent to air family matters, and after the hearing Judge Walker gave all those present a lecture. He said it was not the purpose of the court to hear family troubles related and that it did not desire to hear them. He said from the investigation Mrs. Patterson had handled the funds exceedingly well and that the other relatives should be satisfied if some of the technical requirements of a guardian had inadvertently been overlooked. He said it was deplorable that they could not agree and get along peaceably together, and advised them to try to be friends.

The matter was temporarily settled by Mrs. Patterson resigning pending the granting of a petition for a thirty days' parole for Patterson, who seemed to be in his right mind during the hearing. Patterson was taken back to the hospital and will again be brought into court to-morrow morning. If the physicians at the hospital think he is capable of taking care of his property the resignation of his wife will be null and void. Judge Walker will appoint a guardian.

Hence Orme was yesterday appointed administrator, with the will annexed, of the estate of Joseph Penn and gave a bond of \$2,000.

Henry C. Askrum was appointed guardian of Rebecca Ann Askrum, insane, and gave a bond of \$2,000.

Benjamin F. McCollum was appointed administrator of the estate of Catherine E. McCollum and gave a bond of \$2,000.

John W. Arnold was appointed guardian of Ida Belle Arnold, giving a bond of \$2,000.

Frank T. Brown was appointed guardian of Frederick W. Fancher and gave a bond of \$2,000.

David B. Bowles qualified as administrator of the estate of Jesse Rowe and gave a bond of \$2,000.

Emma W. Hanch was appointed administrator of the estate of George B. N. Hanch and gave a bond of \$2,000.

GAS COMPANY'S BRIEF.

Claim Made that the Company Cannot Be Compelled to Make Extensions.

A brief for the Indianapolis Gas Company was filed in the Supreme Court yesterday by Ferdinand Winter and his son, Clarence Winter, in the appeal of the State on the relation of the city of Indianapolis from a judgment of the Marion Superior Court sustaining the gas company's demurrer to an alternative writ of mandamus. The brief asserts that the city of Indianapolis cannot be arbitrarily compelled to make extensions of its gas mains without compensation. It claims that the city is entitled to a reasonable rate of return on its investment in the gas mains. The brief also claims that the city is entitled to a reasonable rate of return on its investment in the gas mains.

Suits Against Street-Car Company.

Albert Thesing, by his next friend, Charles Thesing, yesterday filed suit against the street-car company for \$15,000 damages for personal injuries. He avers that he received injuries in a collision of street cars that will make him a cripple for life. Ida Walms sued the street-car company for \$5,000 damages. She alleges she was injured by a car starting while she was in the act of alighting and throwing her to the pavement.

Sues Railway Brotherhood.

Percy E. Rowe yesterday filed suit against the Brotherhood of Railway Trainmen for \$1,500 on an accident certificate. He avers that he was knocked from a box car, striking on his head, and that the injury nearly destroyed his sight. He says he is compelled to wear spectacles. He claims his eyes focus properly and that things look double to him. He avers that the brotherhood refused to pay his certificate.

THE COURT RECORD.

SUPERIOR COURT.

Room 3—Vinson Carter, Judge.

William Kattau et al. vs. Aaron Blair; account. Finding and judgment against defendant for \$18.82 and costs. Judgment and costs paid.

CIRCUIT COURT.

Henry Clay Allen, Judge.

Cornelia F. Coles vs. Curtis Coles; divorce. Finding for plaintiff. Decree of divorce. Custody of child, Ethel Coles, awarded to plaintiff. Order to pay \$2 into court within ninety days for plaintiff's attorney. Judgment against defendant for costs.

Minnie Neff vs. William D. Neff; divorce. Defendant defaulted. Submitted to court. Finding for plaintiff. Decree of divorce. Judgment against defendant for costs.

Ellen Upchurch vs. William Upchurch; divorce. Defendant defaulted. Submitted to court. Finding for plaintiff. Decree of divorce. Judgment against plaintiff for costs. Order forbidding marriage within two years.

Edward M. Hutton vs. Sophronia L. Hutton; divorce. Defendant defaulted. Submitted to court. Finding for plaintiff. Decree of divorce. Judgment against plaintiff for costs.

Will McGuire vs. Alice McGuire; divorce. Defendant defaulted. Submitted to court. Finding for plaintiff. Decree of divorce. Judgment against plaintiff for costs. Order forbidding marriage within two years.

Leonard J. Brown vs. Jessie V. Brown; divorce. Defendant defaulted. Submitted to court. Finding for plaintiff. Decree of divorce. Judgment against plaintiff for costs. Order forbidding marriage within two years.

Bertha H. Morris vs. Joseph F. Morris; divorce. Submitted to court. Finding for plaintiff. Decree of divorce. Custody of child, Eula, Mary, Paulina and Laurina, awarded to plaintiff. Judgment against defendant for costs.

Alonso V. Peck vs. Peck; divorce. Evidence concluded. Finding for plaintiff. Decree of divorce. Plaintiff's maiden name, Nellie Nally, restored. Order against defendant to pay \$20 within sixty days for plaintiff's attorney. Judgment against defendant for costs.

On motion of Henry H. Hornbrook, Theophilus J. Mott admitted to bar.

Union Trust Company, administrator, vs. Catherine Meager; intermeddling. Application for receiver submitted to court. Defendant deposits with clerk note for \$400 and \$100 cash to abide suit.

Daniel A. Crenshaw vs. Standard Tack and Brad Company; receivership. Receiver authorized to sell property at public sale and to sell certain property to William H. Cort.

Nellie Kelly vs. Lewis Kelly; divorce. Defendant defaulted. Submitted to court.

CRIMINAL COURT.

Fremont Alford, Judge.

James Johnson; murder. John F. McCray and Amos Hines appointed attorneys to defend him on defendant's affidavit as a poor person.

Herbert Roseboom and Charles Hershey; petit larceny and robbery. Defendant Roseboom pleads guilty to petit larceny. Fine, \$10, and imprisonment in county jail for four months.

NEW SUITS FILED.

Ada E. Bradley vs. Edgar H. Bradley; divorce. Superior Court, Room 3.

Consolidated Coal and Lime Company vs. Laakinen, Sherer & Co. et al.; on note. Superior Court, Room 3.

Sheldon-Foster Glass Company vs. Gladiolus Chemical Company; on account. Superior Court, Room 2.

Ida Mains vs. Indianapolis Street-railway Company; damages. Demand, \$5,000. Superior Court, Room 1.

Albert Thesing, by next friend, vs. In-

dianapolis Street-railway Company; damages. Demand, \$15,000. Circuit Court.

Percy E. Rowe vs. the Brotherhood of Railway Trainmen; on benefit certificate. Superior Court, Room 3.

HIGHER COURTS' RECORD.

SUPREME COURT.

—Minute.—

1960. State ex rel. City of Indianapolis vs. Indianapolis Gas Company. Marion S. C. Appellee's brief (8).

—New Case.—

1970. State of Indiana vs. Chester Carpenter. Huntington C. C. Record. Assumption of errors. Notices served below. Submitted under Rule 13. Appellant's brief (8).

APPELLATE COURT.

—Minutes.—

3842. John B. Crafton vs. Michael T. Carmichael. Lawrence C. C. Appellant's brief (8).

452. Joseph G. Gwin vs. State ex rel. Thomas Hanlon, auditor, etc. Floyd C. C. Appellant's petition for extension of time.

452. Joseph G. Gwin vs. State ex rel. Thomas Hanlon, auditor, etc. Floyd C. C. Appellant's petition for extension of time.

452. The Lux & Talbot Stone Company vs. Albert W. Donaldson et al. Cass C. C. Appellee's assignment of cross-errors. Appellee's petition and brief to transfer to Supreme Court. Notice. Appellant's answer to motion to transfer (2).

—New Case.—

4222. State Bank of Indiana vs. Victor M. Backus et al. Marion S. C. Record. Assignment of errors. Joinder in error by appellee Rand Drill Company. Notice.

CHILD-SAVING INDUSTRY.

A Bulletin Issued by the State Board of Charities.

The State Board of Charities issued a bulletin yesterday concerning the work of its child-saving department for the fiscal year ending Oct. 31. The department placed 20 dependent children in good family homes, each of which was visited and inspected by W. B. Streeter, agent of the board, before the child was placed in it. Only seventy-one of this number remained in the homes at the end of the year, showing that over 70 per cent. of the placements were successful.

Agents of the Charities Board visited 1,062 children in family homes during the year. They learned that \$5, or more than four-fifths of the entire number, were getting along well, 157 were doing fairly well and only seventy were found in an unsatisfactory state.

An interesting feature of the bulletin is its showing that of the 96 children placed in homes by the Charities Board during the year, 40 remained in public support on Oct. 31, 1901.

The bulletin states that there are now in round numbers 2,000 children in homes subject to be visited by agents of the Charities Board, and in orphanages there are 600 children that are public dependents, making an aggregate of more than 2,600 children that require oversight, care and training.

"The problem is to keep down the number of public dependents," says the bulletin, "by encouraging parents when they are almost discouraged, by discouraging wholesale consignments of children to orphanages when their parents frequently could support them if proper influences were brought to bear, and then by finding homes for the children that are now in orphanages."

IN GEORGE M. RAY'S BEHALF.

Governor Durbin Receives a Letter from His Sister, Mrs. Thompson.

The familiar case of George M. Ray, the Shelbyville politician and newspaper publisher, now in the State Prison at Michigan City on an indeterminate sentence of from two to twenty-one years, sprang into notice again in the Governor's office yesterday when Governor Durbin received from Mrs. Thompson, of Shelbyville, a sister of the prisoner, a lengthy letter making a pitiful plea for clemency in behalf of her brother. Ray was sent up for complicity in a series of frauds that have been thoroughly aired in the public prints and by which Shelby county has lost large sums of money. His trial lasted an unusual length of time and created considerable of a stir. The Governor declined to give Ray the benefit of his probable decision in the case, but the prediction was confidently made that the Statehouse yesterday that Ray will not be compelled to provide himself with board and lodging until the board of directors of the prison see fit to parole him, which may be done at the expiration of the minimum portion of his sentence. Attorney General Tamm was asked if he knew of any recent movement to have Ray released from prison. "No I do not," he said, "nor do I want to hear of such a thing. If there ever was a man that we wanted to get into the penitentiary George M. Ray is that man, and he ought to be permitted to remain there as long as his sentence calls for."

RECEPTION FOR COMMANDER.

The Initiative Is Taken by George H. Chapman Post.

At the regular meeting of Chapman Post, G. A. R., last night Henry C. Adams announced that Eli Torrance, commander-in-chief, would be in the city next Wednesday, and suggested the propriety of tendering him a reception. The post accepted the suggestion with great cordiality and took the initiative by voting to request the commanders and committees of other posts to meet in the clubhouse of the Denison tomorrow night. A committee was named to co-operate with committees of other posts.

It is contemplated to have the posts form at the Denison building, the headquarters of three posts, and march in a body to the Statehouse at some hour in the afternoon of Wednesday, where the reception will be given. The general post commander will regard this notice as an invitation to be present.

To-day Chapman Post is one of the strongest and most flourishing in the State. It has a fund of about \$50, which is increasing under the present judicious management.

ACCESS TO BOOKS DENIED.

Demand Made by Auditor Hart on Commercial Insurance Company.

The policy of State Auditor Hart to closely scrutinize the condition of insurance companies, outlined in yesterday's Journal, was inaugurated yesterday morning, when, accompanied by Actuary McEwen, he visited the office of the Commercial Insurance Company and made request on Manager Sherman Mott for permission to inspect the company's books. The request was denied by Mr. Mott on the ground that the auditor has no authority under the company's charter to make such inspection.

Mr. Mott stated that the company is in process of reorganization and will be ready for examination about the middle of December, and that it intends to submit a statement to the insurance department of the state auditor's office after Jan. 1. The auditor announced that he would allow the company until 3 o'clock yesterday afternoon to decide to allow the inspection or to decline. When he returned to the Statehouse Mr. Hart placed the matter in the hands of Attorney General Taylor, with instructions to take legal action against the company in case of refusal to permit the examination.

The intention of the auditor is to examine all special charter companies, the list including the Commercial, the Equitable, the Vernon Insurance and Trust of this city, the Lincoln Banking and Trust Company of Hammond, the Franklin of Evansville, and perhaps the Firemen's and Mechanics' of Madison.

Auditor Hart has received many inquiries at various times concerning the condition of certain insurance companies, and is unable to make satisfactory reply for the reason that the companies have not been submitting financial reports, thus affording him an opportunity to know their true condition. The auditor has an opinion from

the attorney general holding that a receiver may be demanded for a company that refuses to submit to inspection, or when upon examination it appears insolvent, or to be conducting its business in a questionable manner, or to be dealing unfairly with its policy holders. The auditor says he expects to complete these examinations within the next sixty days. No action was taken against the Commercial yesterday, but it is expected the attorney general will institute proceedings for a receivership to-morrow. An official of the company stated last night that the ground of its refusal to allow the state auditor to inspect its books is that the company's charter, granted in 1852, exempts it from such examination, and further, that the statute authorizing the examination is unconstitutional.

FIRE LOSS OF \$5,000.

Holy Cross Catholic Church and School Damaged.

The Holy Cross Catholic Church and school was damaged yesterday morning about 6 o'clock by fire, which started in the furnace room under the part of the building used for school purposes. The damage to the building was estimated at \$5,000, being mostly confined to the schoolrooms. The fire had secured good headway when discovered, and it was feared that the moment and effective work prevented the flames from spreading to other parts of the building, and it was easily controlled. The fire did not reach the auditorium, but there was some damage from smoke in that part and also from water. The Rev. D. D. McCabe, who has charge of the church and school, tried to get into the building and reach the altar, but was overcome by the fire. He was overcome by the smoke and fell with difficulty. The damage was fully covered by insurance, and the school will result only in slight inconvenience to the school and the parish. The school will be opened to-morrow as usual.

MRS. FRANCES REAGIN.

Death of a Woman Who Had Lived Here Seventy-Nine Years.

Mrs. Frances Reagin, who lived with her son, W. R. Reagin, at 528 West Market street, died yesterday morning of heart failure. She was born in Marion county seventy-nine years ago and had lived here all her life. She was married nearly sixty years ago. She leaves a sister, two sons and a daughter. The funeral will be held yesterday noon to Terre Haute for burial.

Reuben Klingensmith's Funeral.

The funeral of Reuben Klingensmith, of Haughville, who died Friday of neuritis of the heart, will be held to-day at 1:30 o'clock p. m. from his late home at 944 Sheffield avenue. He was sixty-seven years of age and had resided in Haughville for about fifteen years, coming there from Augusta, where he had been postmaster for several years.

AUCTION SALE OF PLANTS.

Tomlinson Hall Almost Denuded by Purchasers of Flowers.

When the auction at the floral festival was ended at noon yesterday only a few stubby plants were left. Nearly all of the chrysanthemum bushes and cut flowers sold. At 3 o'clock in the afternoon Tomlinson Hall had been stripped of its decorations.

The Florists' Association will take part of the receipts of the auction. The door receipts were large and the income generally will pay all bills and leave a profit. In a few days the secretary, William G. Bertram, will have paid the bills and will be able to announce to the members of the association the amount left for the treasury. The florists will entertain elaborately the American Canation Society when it meets here in February.

DAILY WEATHER FORECASTS.

They Are Now Within the Reach of Nearly Every Farmer.

The rural free delivery mail service has enabled the Weather Bureau to give many thousands of farmers the benefits of daily weather forecasts during the last year, and the rapid extension of that service, together with the active co-operation of postmasters, approved and encouraged by the Postoffice Department, bids fair to make it possible for the forecasts to be placed at the door of practically every farmer in Indiana during the next year.

The local office is now in communication with postmasters at thirty-eight places in the State where, under the additional routes were established on Nov. 1, with a view to extending the distribution of daily forecasts to all heads of families on the several routes.

FOR HOSPITAL AND NURSERY.

A Lecture Under Auspices of Hope Circle of King's Daughters.

On Tuesday evening, Nov. 12, at the Propylaeum, Prof. John Roach Straton, a popular Southern lecturer, will deliver his lecture, "Day Dreams," under the auspices of Hope Circle of the King's Daughters for the benefit of the hospital and nursery. An elaborate musical programme will also be given. Mrs. Thomas Eastman is president and Mrs. William C. Carey, treasurer of Hope Circle. The indications point to a large attendance at the lecture.

SON OF "GUS" RAKHE

Charges a Woman with Swindling Him Out of \$50.

A son of "Gus" Rakhe, a well-known gambler, complained to the police yesterday that a woman named "Jerry" Walton had obtained \$50 from him on false pretenses. The woman, who is twenty-two years old, was living at 140 South Senate avenue. She was arrested last night. She told the police that young Rakhe gave her the money and when she refused to associate with him charged her with swindling him.

A Pressman's Hand Crushed.

John Casey, a pressman, living at 1217 Spann avenue and employed by the Sentinel Printing Company, slipped his hand into a press yesterday morning. His forearm was cut and the bones of the fingers were mashed. He was attended by Dr. Jacobs at the City Dispensary and then taken to his home.

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The Second Week of This Sale Begins To-Morrow Morning.

Many New Bargain Lots

HAVE BEEN ADDED TO THE "SALE" FOR THIS WEEK ONLY.

39c a yd.-2,000 Yards Good All-Wool Ingrain Carpets, 60c kind-39c a yd.

These are NOT "remnants nor job lots"—all fresh and new, good styles and best colorings.

NEW BARGAIN LOTS OF CARPETS

FOR THIS WEEK'S SALE—CHOICE OF ENTIRE STOCK

20 Styles our Regular 65c Tapestry Brussels Carpets,

All good colorings and new styles, including halls and stairs; clearance sale price, this week only, 43c per yard.

Choice of our Entire Stock Finest 10-wire Tapestry Brussels,

About 75 beautiful new styles in the line, regular \$1.00 grade; clearance sale price, this week only, 72c per yard—absolutely nothing reserved; choose from all our finest and best.

For this week we include our entire stock of 50 styles

Regular \$1.25 Wilton Velvets, not one piece held back,

Clearance sale price, for entire line, 94c per yard. Considering the splendid variety, this is the greatest bargain we have ever been able to offer. Buy for your future needs.

SPECIAL—All the magnificent \$1.50 Axminster Carpets,

Clearance sale price, this week only, \$1.05 per yard. Select from 20 elegant styles, including our finest private designs.

Our "Regal" \$1.65 quality elegant Axminster Carpets,

Clearance sale price \$1.28 per yard, this week only. These sumptuous goods are made from the finest corded worsted, in richest colorings for finest furnishings.

40 Styles Genuine Wilton Velvet Carpets, were \$1.65,

Clearance sale price \$1.23 per yard, this week only. This is for choice of the finest and best styles, guaranteed "genuine" Wilton.

Many splendid rug-styles and small, neat Persian effects for reception hall, library or dining-room.

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